

EXHIBIT 1 - SHOWING GUIDELINE RANGE

IN THE DISTRICT COURT OF THE UNITED STATES  
DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

TRANSCRIPT OF SENTENCING HEARING  
BEFORE THE HONORABLE P. MICHAEL DUFFY,  
SENIOR UNITED STATES DISTRICT JUDGE

**APPEARANCES:**

For the Plaintiff: MR. ALSTON BADGER  
Assistant United States Attorney  
P.O. Box 978  
Charleston, SC 29402

For the Defendant: MR. NATHANIEL ELLIOTT BARNWELL, ESQ.  
N. Elliott Barnwell Law Office  
800 Wappoo Road  
Charleston, SC 29407

Court Reporter: Amy C. Diaz, RPR, CRR  
P.O. Box 835  
Charleston, SC 29402

Proceedings recorded by mechanical shorthand,  
Transcript produced by computer-aided transcription.

1                   Since there are no objections to the Presentence  
2 Report, I'll adopt the factual statements in the report as  
3 the Court's finding of fact for purposes of this hearing.

4                   Does anyone object to my doing so?

5                   MR. BADGER: No, Your Honor.

6                   MR. BARNWELL: No, Your Honor.

7                   THE COURT: Okay. Let's look at the Guidelines.

8                   They provide for a total offense level of 31.

9                   The Criminal History Category is IV.

10                  The defendant is not eligible for probation.

11                  There is a term of imprisonment from 151 to 188

12 months. However, there is a statutory mandatory minimum of  
13 20 years, and the Guideline range then becomes 240 months.

14                  At least 10 years supervised release.

15                  A fine has not been calculated due to the  
16 defendant's inability to pay a fine.

17                  Restitution is not an issue in the case.

18                  There is a \$100 special assessment fee.

19                  Does anyone take issue with the Guidelines as read?

20                  MR. BADGER: No, Your Honor.

21                  MR. BARNWELL: No, Your Honor.

22                  THE COURT: I'll hear first from the Government and  
23 then from the defendant.

24                  MR. BADGER: Your Honor, in light of the statutory  
25 mandatory minimum sentence, there is little we can add to